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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. 4044—L. B. 330-11-5, dated Bangalore, 2nd October 1913.

Under Section 5 of the Mysore Public Conveyance Regulation, VII of 1911, the Government are pleased to make the following rules for the regulation and control of Public Conveyances in the area under the control of the Kolar Gold Fields Sanitary Board. These rules when published in three successive issues of the official Gazette will have the force of law.

1. These rules are applicable not only to Public Conveyances that are kept for hire within the area under the control of the Kolar Gold Fields Sanitary Board but also to all public conveyances, except bullock carts, that, though not kept for hire, habitually ply for hire in that area.

2. Every hackney carriage shall be annually licensed by the registering officer and no person shall keep, or offer, or ply for hire, any hackney carriage except under license granted in that behalf under these rules.

Note.—The Registering Officer shall be the officer, for the time being, holding the office of the District Superintendent of Police.

3. Any license granted under these rules shall ordinarily continue in force until the 30th day of June after the grant of such license.

4. The Registering Officer shall receive applications for, and shall grant or refuse, licenses as he may think fit. Licenses shall be granted to owners subject to all the provisions contained in these rules and to the following conditions:—

(1) That the carriage is in good order and repair in all its parts.

(2) That it is provided with two lamps in the case of carriages of 1st, 2nd and 3rd classes, and with one lamp in the case of those of the 4th class.

(3) That the horse is not or the horses are not less than the height named

1st and 2nd class and 11-3 hands for the 3rd class, and that no animal shall be worked at less than three years of age.

He shall class every hackney carriage at his discretion in one of the four following classes :—

1. First class carriage.
2. Second do
3. Third class, jutkas.
4. Fourth class, bullock carts.

5. The horses and ponies to be used in licensed carriages shall be thoroughly broken to harness, in good condition, free from sores, and fit for public use. The harness shall be complete and in serviceable order. Each driver should have a whip. The use of sticks or leather straps is prohibited.

6. Two lamps lit with candles as ordinarily used shall be carried by 1st and 2nd class carriages. Oil may be substituted in the case of other classes of carriages provided the light is bright. Bullock carts shall have one lamp to be fastened on the right hand side of the cart. The lamp should be wind-proof and in good order.

7. Licensed carriages should be kept in good repair and sound as to their springs, doors and windows.

8. The license to be granted by the Registering Officer shall be in the form given in Schedule B of these rules.

9. (*a*) The Registering Officer may cause to be painted on some conspicuous part of the carriage all or any of the following particulars :—

(1) Its number and class.
(2) The year of license.
(3) The number of passengers it is licensed to carry.

The painting shall be done in the office of the District Superintendent of Police and the cost shall be included in the license fee.

(*b*) If the words or figures so painted shall, during the time of license, become indistinct or obliterated, the owner of the carriage shall produce it without delay before the Registering Officer and apply to have such words or figures renewed.

(*c*) The owner of a 1st or 2nd class hackney carriage shall, on receipt of a license, affix to his premises, if situate within the Kolar Gold Fields, a board on which shall be painted his name and his hackney carriage license number.

(*d*) Every owner of a hackney carriage shall, on the expiry, revocation, or suspension of his hackney carriage license, forthwith remove the figures or words so painted on his carriage.

10. The following fees shall be paid to the Registering Officer for each license :—

* First class carriage	....	.... Rs. 3 per annum.
* Second do	....	.... Rs. 2 do
Third class, jutkas	....	.... Re. 1 do
Fourth class, bullock carts		.... Annas 8 do

* If drawn by a pair of horses, double these fees.

A license in the form given in Schedule B shall only be given for a turn-out including horse, carriage and harness, but spare carriages and horses shall, if the Registering Officer thinks fit, be registered separately as entitled to ply for hire under these rules, the following fees being charged for such registration :—

First class carriage	....	....	.... Rs. 2
Second do	....	....	.... Re. 1½
Horse	....	....	.... Re. 1
Jutka pony		....	.... Annas 8

Drivers' Licenses.

11. Every driver of a hackney carriage shall be annually licensed by the Registering Officer, who may refuse to issue such a license to any one under 18 years of age or to any one who has not been approved by him and no person shall drive any hackney carriage, nor shall any owner of a hackney carriage permit any person to drive such hackney carriage, except under license granted in that behalf under these rules.

For every license granted under this rule, there shall be paid annually a fee of one rupee for drivers of 1st and 2nd class carriages and jutkas, and a fee of 8 annas for drivers of bullock carts.

12. The license to be granted to a driver of a 1st or 2nd class carriage shall be in the form given in Schedule C of these rules, and to a driver of a jutka or a bullock cart in the form given in Schedule D. Such licenses shall be accompanied by a metal badge bearing the number of the license.

13. A licensed driver when acting as such (1) shall keep to his own left side of the road and not overtake or pass another carriage except on the right hand side of that carriage, (2) shall light his lamps and keep them alight, half an hour after sunset and half an hour before sunrise, (3) shall stand in line with his carriage and keep proper order when at a carriage stand specially provided by the board for this purpose. He shall not take up position on any hackney carriage stand which already contains the full complement of hackney carriages authorized for such stand by the Registering Officer. He shall not loiter or cause obstruction in public roads or thoroughfares or in any place where the public resort.

14. Every driver of a first or second class carriage shall be properly and cleanly clad when acting as such. He shall wear a turban neatly folded, a long coat extending below the hips, and trousers reaching to the ankles. Over the coat he shall wear a waist belt not less than 4 inches wide, to which his metal badge shall be affixed above the right hip.

Miscellaneous.

15. The fare which may be demanded for the hire of a hackney carriage shall not exceed that specified in Schedule A of these rules.

16. The maximum number of persons to be carried by each description of hackney carriage is as follows :—

In a four-wheeler, four persons inside and driver and boy outside.
A wagonette with one horse, six persons including syce and driver.
A jutka, five persons including driver.
Two children under ten years of age to be reckoned as one adult person.

17. The maximum load of luggage only or of luggage and passengers which may be carried by each description of carriage shall be as follows :—

Carriage, 1st and 2nd class drawn	by one horse	8 maunds	or	672 lbs.
	by two horses....	15 ,,	or	1,260 ,,
Third class, jutkas	....	6 ,,	or	504 ,,
Fourth class, bullock carts	....	5 ,,	or	420 ,,

When passengers or luggage are carried, each adult person shall be considered as weighing 1½ maund or 126 lbs. and each child under ten years of age as weighing ¾ of a maund or 63 lbs.

18. The owner of every hackney carriage, unless exempted by the Registering Officer, shall put up, and at all times keep, in such position as shall be directed by the Registering Officer, in or on such carriage a clear and legible list signed by the Registering Officer or other person authorized by him in this behalf, showing the class or number of such carriage, and the rates and fares authorized to be taken for the hire of the same.

19. No owner or driver of any hackney carriage shall, without sufficient reason, the burden of proving which shall lie on such

refuse to let such hackney carriage for hire to any person demanding the same but no owner or driver of a hackney carriage shall be bound to carry, in such hackney carriage, any person suffering from any contagious or infectious disease.

No owner or driver shall, without previously disinfecting it, knowingly use for hire any carriage used for the conveyance of any person suffering from any contagious or infectious disease.

20. The Registering Officer may, by written order, suspend for a period not exceeding one month, or revoke, any license granted under Rule 8 or 12 for any breach of these rules or of any conditions of the license.

A license under Rule 8 or 12 shall also be subject to suspension or revocation, if the Registering Officer is satisfied that the owner or driver has misconducted himself.

21. In the case of disputes as to the fare to be paid according to distance, any table or book signed by the Registering Officer shall be taken to be conclusive evidence of all the fares and distances therein stated.

22. All property left in any hackney carriage licensed under these rules shall be forthwith deposited by the driver or owner as the case may be, in the office of the Registering Officer, or in the nearest Police Station.

23. Such property shall be returned to the person who shall prove to the satisfaction of the Registering Officer that the same belong to him, on payment of all expenses reasonably incurred, and of such reasonable sum to the driver or owner as the Registering Officer may direct.

24. It shall be lawful for the Registering Officer, and any other person appointed or authorized by him in this behalf, at any time between sunrise and sunset, to enter any premises in which hackney carriages are kept in order to carry out any provision of these rules, and the owner of such premises or his agents shall afford every facility therefor.

25. On expiry, revocation, or suspension of any license granted under Rule 8 or 12, the licensee shall forthwith return such license to the Registering Officer and shall, in the case of any license granted under Rule 11 at the same time deliver up any badge issued with such license.

26. Prosecutions for breach of these rules may be instituted by any Police Officer or any other person authorized by the Registering Officer in writing.

27. All fees received, and all expenses incurred by the Registering Officer, in giving effect to these rules shall be credited and debited respectively to the funds of the Kolar Gold Fields Sanitary Board; but the Registering Officer shall not incur any expenditure in excess of the receipts without the sanction of the Sanitary Board.

By Order,
K. R. SRINIVASIENGAR,
Secretary to Government,
General and Revenue Departments.

SCHEDULE A.

Fares by time.

Class of vehicles	For 1 hour or less	For every additional hour or part of an hour before midnight	For every additional hour or part of an hour after midnight	Remarks
1	2	3	4	5
	Rs. a. p.	Rs. a. p.	Rs. a. p.	
1st, drawn by 1 horse	1 0 0	0 6 0	0 8 0	If drawn by a pair of horses, double these fares.
2nd, drawn by 1 horse	1 0 0	0 4 0	0 6 0	
3rd, jutka, by 1 horse	0 6 0	0 3 0	0 4 0	
4th, bullock cart	0 4 0	0 2 0	0 3 0	

Note.—These fares are subject to a maximum of Rs. 3-8-0, 3-0-0, 2-0-0, and 1-4-0 ac- for twelve hours from 5 A.M. to midnight; and to a maximum of Rs. 5-0-0, number of hours exceeds twelve.

Fares by distance.

Distance	1st class	2nd class	Distance	3rd class, jutkas	4th class, bullock carts
1	2	3	4	5	6
	Rs. a. p.	Rs. a. p.	For a mile or portion of a mile.	Rs. a. p.	Rs. a. p.
For 3 miles and under	1 0 0	0 12 0		.....	.....
For every succeeding mile or a portion of a mile beyond a mile.	0 4 0	0 3 0		0 2 0	0 1 6

N. B.—The minimum speed at which a first and second class carriage hired by time shall be driven is 6 miles per hour, jutka 5 miles and bullock cart 2 miles an hour, respectively. The above fares to be paid according to time, unless at the commencement of hiring, the hirer expresses his intention of paying according to distance.

Any contract entered into to accept a fare lower than the fare above fixed, shall be binding.

SCHEDULE B.

Owner's license
Hackney Carriage License No.
Class

Stamp of
Registering Officer.

By virtue of the powers vested in me by.....I grant to you..... ....of..... .....this license to keep at your premises at.....and to let for hire the .....numbered as above from the date hereof till the 30th June 19 on the conditions hereunder written :—

1st. That it shall be drawn by.... .....

2nd. That it shall carry such number of passengers and weight of luggage as shall not exceed the limits prescribed in Rules 16 and 17 and shall also carry free of charge a reasonable quantity of luggage, for each passenger.

3rd. That it shall ply for hire on the Kolar Gold Fields.

4th. That it shall be produced for inspection at such place and time as may be directed by me.

5th. That in the event of its being damaged, you may with no previous sanction in writing, use temporarily another carriage to which this license number shall be transferred free of charge.

6th. That you shall keep it, together with the horses and harness used therewith in proper and serviceable condition.

7th. That as often as you change your residence or the premises in which you keep this carriage you shall give me notice thereof in writing within one week of such change submitting at the same time this license for the necessary alteration.

8th. That the license shall not be transferred to any other person without my written sanction.

Given under my hand and seal this day of.....

Registering Officer,
Kolar Gold Fields.

SCHEDULE C.

1st and 2nd class Hackney Carriage Driver's License No.

Stamp of the
Registering Officer.

By virtue of the powers vested in me by.....I grant to you.....of.....this license to ply for hire and pursue the occupation of Driver in the service of Hackney Carriage owner.....in any

part of the Kolar Gold Fields, from the date hereof till the 30th June 19 on the conditions hereunder written :—

1st. That you shall constantly, when engaged in the said occupation, wear conspicuously on such part of your person as the Registering Officer shall direct a metal badge, numbered as above.

2nd. That you shall, at all times when engaged in your said occupation, have with you this license and shall produce the same when required by any passenger, or any Magistrate, or any Police Officer on duty, or any person employed or authorized by me in this behalf.

3rd. That you shall, when engaged for hire, drive Mr.....'s carriage to any place within the limits of the Kolar Gold Fields, to which you may be required by the hirer thereof to drive.

3rd A. That the carriage shall carry such number of passengers and weight of luggage as shall not exceed the limits prescribed in Rules 16 and 17 and shall also carry free of charge, a reasonable quantity of luggage for each passenger.

4th. That you shall not, when engaged for hire, leave this carriage without the permission of the hirer or wilfully desert from such hiring before being discharged by the hirer.

5th. That this license or its accompanying badge be not transferred to any other person except at the request of the owner of this carriage and with my written sanction.

Given under my hand and seal this.....day.....of.....

Registering Officer,
Kolar Gold Fields.

SCHEDULE D.

Jutka or bullock cart Driver's License No. .. } Stamp of Registering Officer.

By virtue of the powers vested in me by.....I grant to you..... .....of.....this license to ply for hire and pursue the occupation of driver in the service of $\frac{\text{Jutka}}{\text{Bullock cart}}$ owner.....in any part of the Kolar Gold Fields, from the date hereof till the 30th June 19 on the conditions hereunder written :—

1st. That you shall constantly, when engaged in the said occupation, wear conspicuously on such part of your person as the Registering Officer shall direct a metal badge, numbered as above.

2nd. That you shall, at all times when engaged in your said occupation, have with you this license and shall produce the same, when required by any passenger, or any Magistrate, or any Police Officer on duty, or any person employed or authorized by me in this behalf.

2nd A. That the $\frac{\text{Jutka}}{\text{Bullock cart}}$ shall carry such number of passengers and weight of luggage as shall not exceed the limits prescribed in Rules 16 and 17 and shall also carry free of charge a reasonable quantity of luggage for each passenger.

3rd. That the license or its accompanying badge shall not be transferred to any other person without my written sanction.

Given under my hand and seal this.....day of..... .....

Registering Officer,
Kolar Gold Fields.